



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-72
Address: 202 S. Clark Street
Petitioner: Kathryn Johnson
Inspector: Jo Stong
Staff Report: January 31, 2011: Conducted cycle inspection
February 9, 2011: Sent inspection report
April 11, 2011: Received appeal

During a cycle inspection several violations of the Property Maintenance Code were noted. The petitioner is seeking an extension of time to complete repairs, citing weather issues as the reason for the delay of the completion of repairs.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 15, 2011 for all life-safety violations, including furnace maintenance and installation of a smoke detector in the basement
July 8, 2011 for all other violations

Attachments: Cycle report, application for appeal



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

Property Address: 202 S. Clark St

Petitioner's Name: Kathryn Johnson

Address: 4810 E State Road 45

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 339-2459

E-mail Address: kayj4810@comcast.net

Owner's Name: Kathryn Johnson

Address: 4810 E State Road 45

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: 812-339-2459

E-mail Address: kayj4810@comcast.net

Occupants: Treva Fortner

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: *An extension of time to complete repairs (Petition Type: TV)*

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-72

Petition Number: _____

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In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I am requesting an extension of time to complete the repairs required for the Rental Permit. Weather issues have delayed the completion of the repairs that are needed. I anticipate that these repairs can be completed by April 30, 2011.

Signature (Required): Kathryn Johnson

Name (Print): Kathryn Johnson

Date: 4/7/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form

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Cycle Report

5247

OWNERS

JOHNSON, KATHRYN A.
4810 E. ST. RD. 45
BLOOMINGTON, IN 47408

Prop. Location: 202 S CLARK ST
Date Inspected: 01/31/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

INTERIOR:

Living Room (20-7 x 13-9):
No violations noted.

Dining Room (13-9 x 9-2):
No violations noted.

Kitchen (10-1 x 7-8):
No violations noted.

Northeast Bedroom (10-3 x 9-0):
Replace the missing pane in the window. PM-303.13

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

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Existing Egress Window Measurements (double-hung):

Height: 24 ½ inches

Width: 23 inches

Sill Height: 25 ½ inches

Openable Area: 3.91 sq. ft.

Bathroom:

Properly seal the entire perimeter of the tub/shower including the floor. PM-304.3

Remove mold on ceiling and other surfaces. Properly surface-coat in a workmanlike manner where necessary. PM-304.3

Southwest Bedroom (15-3 x 12-9):

No violations noted.

Note: A door leading directly to the exterior serves as the emergency egress for this sleeping room.

Northwest Bedroom (15-3 x 11-3):

No violations noted.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

Existing Egress Window Measurements (double-hung):

Height: 24 inches

Width: 23 inches

Sill Height: 27 inches

Openable Area: 3.83 sq. ft.

BASEMENT/GARAGE

Provide a complete directory of all service panels and circuits. PM-605.1

Repair the windows to be weather tight. The sashes shall fit snugly and properly within the frame. Replace any missing or deteriorated glazing compound.. PM-303.13, PM-303.13.2

Replace the hose on the water heater with an approved Temperature/pressure relief (TPR) valve discharge tube.

TPR valve discharge tubes:

- shall not be reduced in size from the valve outlet
- **shall be rigid galvanized, rigid copper, or any CPVC pipe**
- shall not have a threaded discharge end
- drain by gravity

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- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. PM-505.4

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall. PM-704.1

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)	
Acceptable level in a living space:	9 ppm	
Maximum concentration for flue products:	50 ppm	PM-603.1

EXTERIOR:

Clean debris from the roof, gutters and downspouts. PM-303.7

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Remove all dead branches from trees. All trees on premises shall be in good health and pose no danger to persons or building. PM-302.4.1

Properly seal all cracks in foundation walls. No light shall be visible from the basement/garage. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests. PM-303.5

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the

tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-73

Address: 422 N. Clark

Petitioner: Ashley Norman for Jeanne Walters Real Estate

Inspector: Jo Stong

Staff Report: January 19, 2011: Conducted cycle inspection
January 28, 2011: Sent cycle report
April 7, 2011: Sent remaining violations report
April 13, 2011: Received appeal

During the cycle inspection violations of the Property Maintenance Code were noted, including two bathrooms with no windows or mechanical ventilation. The petitioner is requesting an extension of time to complete the installation of windows in the bathrooms.

Staff recommendation: Grant the requests for an extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 15, 2011 for all life-safety violations
July 14, 2011 for all other violations

Attachments: Amended Remaining Violations report, application for appeal



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Petitioner's Name:

Ashley Norman
w/ Jeanne Walters Real Estate

Petitioner's Address & Phone Number:

107 E. 6th St., Bloomington, IN 47408
#812-331-8951

Owner's Name:

Raymond Kothur

Owner's Address & Phone Number:

tokyo, Japan

Address of Property:

422 N. CLARK

Occupant(s) Name(s):

Meredith Shell (+4)

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature:

Ashley Norman

Name (print):

Ashley Norman

(Will be assigned by BHQA)

11-TV-73

Petition Number:

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

- * 1 month extension due to delay on new window order (for both bathroom windows)
- * All other items are complete
- * Question about variance for SE basement bedroom width.

Signature:

[Handwritten Signature]

Date:

4/13/2011

Amended Remaining Violations Report

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OWNERS

=====

KAHN, RAY
2-5, KASUMIGASEKI 3-LHOME
CHIYODA-KU, TOKYO, JP 1006015

AGENT

=====

WALTERS, JEANNE M.
107 E. 6TH ST.
BLOOMINGTON IN 47408

Prop. Location: 422 N CLARK ST
Date Inspected: 01/19/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 5
Max # of Occupants: 5
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

INTERIOR:

Living Room (17-3 x 12-8):

No violations noted.

Kitchen/Dining/Laundry Room (12-8 x 12-7):

Properly repair the damaged and curling floor tile between the refrigerator and the clothes dryer. PM-304.4

Properly close the holes in the wall behind the washer and dryer in a workmanlike manner. PM-304.3

A minimum **1A 10BC** classification fire extinguisher shall be **mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress.** The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Hallway:

No violations noted.

Bathroom:

Every bathroom and toilet room must have an openable window or a mechanical ventilation system. Install an exhaust fan that discharges to the exterior, or alter window to provide proper ventilation. PM-403.2

Repair the cabinet doors above the toilet to function as intended. PM-304.3

Northeast Bedroom (12-5 x 10-6):

No violations noted.

Existing Egress Window Measurements (sliding):

Height: 47 inches

Width: 32 ½ inches

Sill Height: 32 inches

Openable Area: 10.60 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Southeast Bedroom (13-0 x 10-6):

No violations noted.

Note: Egress window measurements are the same as in the northeast bedroom.

Southwest Bedroom (10-7 x 9-2):

No violations noted.

Note: Egress window measurements are the same as in the northeast bedroom.

BASEMENT

Bathroom:

Repair the fluorescent light fixture to function as intended. PM-605.1

Every bathroom and toilet room must have an openable window or a mechanical ventilation system. Install an exhaust fan that discharges to the exterior, or alter window to provide proper ventilation. PM-403.2

Remove the mold from the walls and ceiling. PM-304.3

Properly repair or replace the baseboards on the east wall. PM-304.3

North Entry:

Replace the cracked/deteriorated tiles on the floor at the entry. PM-304.4

Living Room/Kitchen (18-1 x 12-8):

Repair the casement windows on the north wall to open and close easily. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Repair the water faucet to be capable of providing sufficient water pressure and volume. PM-505.3

Southwest Bedroom (12-8 x 10-7):

No violations noted.

Existing Egress Window Measurements (double-hung; both sashes removable):

Height: 37 inches

Width: 27 inches

Sill Height: 35 inches

Openable Area: 6.93 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Southeast Bedroom (14-1 x 6-8):

No violations noted.

Existing Egress Window Measurements (double-hung; both sashes removable):

Height: 37 ½ inches

Width: 26 ½ inches

Sill Height: 36 inches

Openable Area: 6.90 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Mechanical Room:

Maintain minimum clearances from combustibles:

- Fuel-fired appliances: 36" clearance from combustible storage
 - Single-wall vent connectors: 1" clearance from Flow Guard Gold CPVC
6" clearance for other combustibles
 - Double-wall vent connectors: 1" clearance for all combustibles
 - Draft hood: 6" clearance for all combustibles
- PM-603.3

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-74

Address: 1517 S. Walnut Street

Petitioner: Jeanne Walters Real Estate

Inspector: Jo Stong

Staff Report: February 24, 2011: Conducted cycle inspection
March 4, 2011: Sent cycle report
April 19, 2011: Received appeal

During a cycle inspection of the above property several violations of the Property Maintenance Code were noted. The petitioner is requesting an extension of time to complete repairs, stating that the tenants will have vacated the property at the end of April 2011.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 8, 2011

Attachments: Cycle Report, Photos, Application for Appeal



RECEIVED
APR 18 2011

Page 1 of 2

BY: **Application For Appeal**
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

Property Address: 1517 S Walnut Bloomington Indiana

Petitioner's Name: Jeanne Walters Real Estate

Address: 107 E 6th St

City: Bloomington

State: Indiana

Zip Code: 47408

Phone Number: (812) 331-8951

E-mail Address: thea@jeannewalters.com

Owner's Name: Dorothy & Karen Duffy

Address: 723 West 9th St

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 812-331-8951

E-mail Address: rentals@jeannewalters.com

Occupants: Marta & Vidal Gonzales

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-74

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

This is a request for an extension of time to complete repairs, for 1517 S Walnut St, Bloomington Indiana. We manage the property for Karen Duffy. Jo Stong, city HAND Inspector, performed the initial rental inspection. As she can attest, the property is in pretty bad condition. The current tenants have lived in this property since 2008, and their personal lifestyle is one of poor housekeeping, to say the least. The tenants will permanently vacate the premises April 30, 2011, and we are hoping that the process will not require formal eviction. Because of the extensive nature of the properties condition and needed repairs, we would like to postpone the Cycle Report's recommended repairs, until the unit is vacant. The owner is considering far more repairs and updates than the HAND report mandates. However, to be honest, the repairs would be very difficult to arrange and conduct given the current condition of the house; access is limited, tenants belongings clutter and block the areas that service providers need access to. We will absolutely perform all of the mandated repairs on the Cycle Report, as well as additional improvements... we merely need an extension of time. We would like an extension of one month, to comply with the mandates for final inspection, for the entire report; late May re-inspect would be best. Thank you.

Signature (Required):

Name (Print):

Avery Tischer, Principal Broker
Jeanne Walters Real Estate, LLC

Date: 4/15/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.





1517 S. Walnut Street

February 25, 2011

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City of Bloomington
Housing and Neighborhood Development

Cycle Report

6392

OWNERS

DUFFY, DOROTHY
723 W. 9TH ST.
BLOOMINGTON, IN 47404

AGENT

JEANNE WALTERS REAL ESTATE
107 E. 6TH ST.
BLOOMINGTON IN 47408

Prop. Location: 1517 S WALNUT ST
Date Inspected: 02/24/2011
Inspectors: Jo Stong
Primary Heat Source: Gas
Property Zoning: CG
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 4
Foundation Type: Basement
Attic Access: No
Accessory Structure: None

INTERIOR:

Kitchen (12-4 x 7-0):

Repair the light switch to function as intended. PM-604.3

Repair the wall and ceiling covering to the right of the entry door in a workmanlike manner, and properly surface-coat. PM-304.3

Replace the deteriorated exhaust hood for the stove. PM-304.3, PM-603.1

Properly secure the sink and the countertop behind it to the wall and caulk the joint. PM-304.3, PM-504.1

Repair the right front range burner to function as intended. PM-603.1

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Kitchen (cont'd):

Replace the missing drawer front on the cabinet on the north wall.

Dining Area (9-1 x 6-3):

No violations noted.

Northeast Bedroom (12-3 x 8-7):

Repair the windows to open easily. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Note: Windows must be measured at the reinspection.

Attic:

Not accessible.

Hallway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard-wired model. PM-704.1

Bathroom:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Secure toilet to its mountings. PM-504.1

Properly seal the entire perimeter of the tub including the floor and the window. PM-304.3

Scrape and paint all surfaces where paint is peeling. PM-304.3

Northwest Bedroom (13-0 x 10-3):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Repair the broken window (west wall, north window). PM-303.13

Repair the windows to open and function as intended. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Note: Windows must be measured at the reinspection.

Scrape and paint windows where paint is peeling or wood is exposed. PM-304.3

Living Room (15-0 x 12-3):

Provide operating power to smoke detector. PM-704.1

BASEMENT

Provide operating power to smoke detector. PM-704.1

Restore power to the outlet behind the washing machine and eliminate the extension cord and power strip. PM-604.3, PM-605.

BASEMENT (cont'd)

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm PM-603.1

EXTERIOR:

Provide an address identification number that is visible from the street.

- Numbers shall be a minimum of 4 inches tall.
- Numbers shall contrast with their background. PM-303.3

Remove and properly dispose of all accumulated or scattered trash on property. PM-302.1

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Properly install the television cable to eliminate the trip hazard it creates on the ground. PM-302.3

OTHER REQUIREMENTS:**Required documentation:**

Complete the enclosed registration form. A street address is required for both owner and agent. The registration form MUST be signed by the owner. BMC16.12.060

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.050 (d).

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit

1517 S. Walnut Street

February 25, 2011

Page 4 of 4

displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.





City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-75

Address: 810 N. Oolitic Dr.

Petitioner: Roderick Stark

Inspector: John Hewett

Staff Report: January 3, 2011 Cycle Inspection
January 11, 2011 Report Sent
March 18, 2011 Re-inspection
April 15, 2011 Received Appeal

At the time of the Cycle Inspection numerous items were cited. All of those items have been repaired with the exception of removing some large dead branches from a tree near the back of the house. The Owner is requesting 6 additional months.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: October 15, 2011

Attachments: RV Report, petitioner's letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
APR 15 2011

Petitioner's Name: RODERICK STARK

BY: _____

Petitioner's Address & Phone Number: 7850 W. ELWREN RD BLOOMINGTON
IN 47403 812 320-2553

Owner's Name: same

Owner's Address & Phone Number: _____

Address of Property: 810 N. OOLITIC, BLOOMINGTON

Occupant(s) Name(s): RUTH BURRIS

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Signature]

Name (print): RODERICK STARK

(Will be assigned by BHQA)

11-TV-75

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Inspection failed based on dead tree limbs. It turns out that they will need to be removed professionally and this will be very expensive. I need additional time to be able to afford this. I request a six-month extension.

Signature: _____

[Handwritten Signature]

Date: _____

4/15/11



**City of Bloomington
Housing and Neighborhood Development**

MAR 28 2011

Remaining Violations Report

7440

OWNERS

STARK, RODERICK B.
7850 W. ELWREN ROAD
BLOOMINGTON, IN 47403

Prop. Location: 810 N OOLITIC DR
Date Inspected: 01/03/2011
Inspectors: John Hewett
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 3
Foundation Type: Crawl Space
Attic Access: N/A
Accessory Structure:

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

All trees on premises shall be in good health and pose no danger to persons or building. Remove the large dead limbs from the tree in the back yard. PM-302.4.1

195



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-76

Address: 1409 S. Lincoln Street

Petitioner: David Bunge

Inspector: Jo Stong, Maria McCormick

Staff Report: February 7, 2011: Conducted cycle inspection with tenant
February 15, 2011: Cycle report sent
April 13, 2011: Reinspection scheduled for May 2, 2011
April 20, 2011: Received appeal
May 2, 2011: Conducted reinspection.
May 12, 2011: Sent remaining violations report

During a cycle inspection violations of the Property Maintenance Code were noted. The attic was not able to be inspected at the inspection, and so was written up to be inspected and brought into compliance within the 60-day time frame. At the reinspection, violations were noted in the attic. The petitioner is requesting an extension of time to complete repairs in the attic.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 8, 2011

Attachments: Remaining violations report, application for appeal



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

Petitioner's Name: David Bunge

Petitioner's Address & Phone Number: 3420 W. St. Rd 45, Nashville, IN
47448

Owner's Name: Same

Owner's Address & Phone Number: 272 9143

Address of Property: 1409 S. Lincoln St.

Occupant(s) Name(s): _____

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: VV)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

any items that may need
correction due to 2nd floor
inspection which has not taken
place. Inspection date - 5/2/11

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: David Bunge

Name (print): David Bunge

(Will be assigned by BHQA)

11-TV-76

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



**Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420**

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

[illegible]

Signature: _____ Date: _____



City of Bloomington
Housing and Neighborhood Development

Remaining Violations Report
Re-inspected 05-02/2011

1305

OWNERS

=====

BUNGE, DAVID
3240 W ST RD 45
NASHVILLE, IN 47448

Prop. Location: 1409 S LINCOLN ST
Date Inspected: 02/07/2011
Inspectors: Jo Stong/Maria McCormick
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: Yes
Accessory Structure: None

VARIANCE

=====

11/06/1986 Granted variance to the minimum ceiling height requirement for the upper level.
UPSTAIRS NOT APPROVED AS HABITABLE SPACE.

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Note: There is a BHQA Application of Appeal for an extension of time submitted for this property to be heard at the June 8, 2011 meeting.

2nd Level – Attic:

Properly secure all electrical receptacles. PM-605.1

Replace the stair treads. PM-302.3

Properly remove or cap all unused electrical wiring. PM-605.1

OTHER REQUIREMENTS:

The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied:

- **Inventory & Damage List:** The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement

BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-77
Address: 741-743 S. Park Square Drive
Petitioner: Dolores Schreck McDonald
Inspector: Maria McCormick
Staff Report: February 28, 2011 Cycle Inspection
May 19, 2011 Re-Inspection

At the cycle inspection it was noted that the bedroom windows in both units do not meet the minimum requirements for a one and two family dwelling unit built in 1974. The petitioner is seeking an extension of time to obtain a variance from the State of Indiana for the windows.

Openable area required: 5.0 sq. ft.
Clear width required: 22"
Clear height required: 22"
Maximum sill height: 48" above finished floor

Existing area: 3.60 sq. ft.
Existing width: 15 ½"
Existing height: 33 ½"
Existing sill: 47 ½" above finished floor

Staff recommendation: Grant the extension of time.
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: September 31, 2011
Attachments: Application of Appeal, Remaining Violations Report



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
APR 21 2011

Petitioner's Name: DOLORES SCHRECK McDONALD BY: _____

Petitioner's Address & Phone Number: 396 S LORI LANE

Owner's Name: DOLORES SCHRECK McDONALD

Owner's Address & Phone Number: 396 S LORI LANE

Address of Property: 741 - 743 PARN SQUARE DR.

Occupant(s) Name(s): MARSHALL CANTRELL (741) CHARLENE ROTHROCK

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Dolores McDonald

Name (print): DOLORES McDONALD

(Will be assigned by BHQA)

11-TV-77
Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Window Variance

Signature: _____ Date: _____



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011
Petition Type: An extension of time to complete repairs
Petition Number: 11-TV-78
Address: 501 & 503 Village Ct.
Petitioner: Robert Tamborrino
Inspector: John Hewett
Staff Report: February 10, 2011 Cycle Inspection
February 18, 2011 Report Sent
April 26, 2011 Re-inspection
April 26, 2011 Received Appeal

At the time of the Cycle Inspection numerous items were cited. All of those items have been repaired with the exception of a window replacement that is delayed while the petitioner waits for the window. The petitioner has appealed for additional time so as to not lose his 5 year permit length.

Staff recommendation: Grant the extension of time.
Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.
Compliance Deadline: July 8, 2011
Attachments: Cycle Report, petitioner's letter



Application for Appeal
To The
Board of Housing Quality Appeals

P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
APR 26 2011

BY: _____

Petitioner's Name: A1 TOWNHOMES & APTS, LLC

Petitioner's Address & Phone Number: P.O. BOX 145, BL, IN, 47402 812-345-5009

Owner's Name: ROBERT A. TAMBORRINO

Owner's Address & Phone Number: PO BOX 145, BL, IN, 47402 812-345-5009

Address of Property: 501 VILLAGE CT., BL, IN, 47403

Occupant(s) Name(s): JENNIFER POSSON

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: _____

Name (print): ROBERT A. TAMBORRINO

(Will be assigned by BHQA)

11-TV-78

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

PRIOR TO RE-INSPECTION, A WINDOW WAS
DELIVERED THAT WAS THE WRONG SIZE. THE
WINDOW WAS RE-ORDERED BUT NOT DELIVERED
BY THE INSPECTION DAY. IT SHOULD BE IN
BY MAY 2ND, 2011. WE ARE REQUESTING
THIS EXTENSION SO AS NOT TO LOOSE OUR
5-YEAR PERMIT.

Signature:

B. A. L.

Date:

4/28/11



City of Bloomington
Housing and Neighborhood Development

Cycle Report

3686

OWNERS

TAMBORRINO, ROBERT A.
3011 TAPPS TURN
BLOOMINGTON, IN 47401

Prop. Location: 501 & 503 S VILLAGE CT	Number of Units/Structures: 2 / 1
Date Inspected: 02/10/2011	Number of Bedrooms: 3
Inspectors: John Hewett	Max # of Occupants: 5
Primary Heat Source: Gas	Foundation Type: Crawl Space
Property Zoning: PUD	Attic Access:
Number of Stories: 2	Accessory Structure:

Interior

501 S. Village Ct.

Entry

No violations noted.

Garage

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

Kitchen

9-3 x 7-7

No violations noted.

Dining room

8-9 x 9-1

Repair or replace the sliding glass door so that it opens and closes easily, fits reasonably in its frame and remains weather tight. PM-303.15

Living room

17-8 x 13-2

207

C Replace the east window. The wood sash frame is rotting. PM-303.13

2nd Floor

W bedroom

13-4 x 11-3

Existing Egress Window Measurements:

Height: 36.5 inches

Width: 42.5 inches

Sill Height: 44 inches

Openable Area: 10.7 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Center bedroom

9-10 x 10-6

NC Replace the window to eliminate the rotted sash frame. PM-303.13

The window measurements are the same as noted above.

Hall bath

No violations noted.

E bedroom

10-4 x 14-4

The window measurements are the same as noted above.

E bathroom

Properly secure the faucet in the shower. PM-504.1

Repair the sink faucet to eliminate the constant dripping. PM-504.1

Clean and service the exhaust fan so that it functions as intended. PM-603.1

503 S. Village Ct.

Entry

No violations noted.

Garage

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

C Desired level:

0 parts per million (ppm)

Acceptable level in a living space:

9 ppm

Maximum concentration for flue products:

50 ppm

PM-603.1

Kitchen

9-3 x 7-7

Replace the discharged fire extinguisher. A minimum 1A 10BC classification fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Dining room

8-9 x 9-1

No violations noted.

Living room

17-8 x 13-2

Replace or repair the east window. The inner pane of glass is gone on the bottom sash. PM-303.13

2nd Floor

W bedroom

13-4 x 11-3

Existing Egress Window Measurements:

Height: 36.5 inches

Width: 42.5 inches

Sill Height: 44 inches

Openable Area: 10.7 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Hallway

Repair the hole in the south wall. PM-304.3

Hall bath

Caulk or grout the crack in the tile in the corner by the stool. PM-304.1

Center bedroom

9-10 x 10-6

The window measurements are the same as noted above.

E bedroom

10-4 x 14-4

The window measurements are the same as noted above.

E bathroom

No violations noted.

Exterior

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC 16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to secure a state variance for egress windows.

Petition Number: 11-TV-79

Address: 1170 – 1180 E. Cobblefield Ct.

Petitioner: Michael Latham

Inspector: Norman Mosier

Staff Report: March 8, 2011 Conducted Cycle Inspection
April 26, 2011 Received BHQA Appeal
May 11, 2011 Conducted Re-inspection

Petitioner is requesting an extension of time to secure a state variance for egress windows from the Fire Prevention and Building Safety Commission, Dept. of Homeland Security.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 31, 2011

Attachments: BHQA Appeal, Petitioner's Letter, Cycle Report.

Rec'd
4-26-11



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

RECEIVED
APR 26 2011

BY: _____

Property Address: 1170, 1172, 1174, 1176, 1178, 1180 East Cobblefield Court, Bloomington, IN 47401

Petitioner's Name: Michael Latham

Address: 1501 East Hillside Drive

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: (812) 320-2366

E-mail Address: mlatham@deerparkmgmt.com

Owner's Name: Downtown Real Estate, LLC

Address: 1501 East Hillside Drive

City: Bloomington

State: Indiana

Zip Code: 47401

Phone Number: 812-333-9355

E-mail Address: mlatham@deerparkmgmt.com

Occupants: 10-12

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-79

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I am requesting from the State of Indiana Fire Safety department a variance for the windows in this building. This building is identical to three others that were built in 2002, all passing through the various inspection departments without issue. I believe the state will grant a variance for all 4 buildings, including the one listed above, as the windows are both close to the required openable area and are easily removed from inside the units themselves. The window company that makes the windows assures us that the ability to easily remove the window panes meets the State's typical interpretation of openable area requirements. There, I need an extension of time to meet with the State to receive their judgement in this case. I need 120 days to meet with the state.

Signature (Required):



Name (Print): Michael Latham

Date: 4/22/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

6433

OWNERS

DEER PARK MANAGEMENT, INC.
1501 E. HILLSIDE DR.
BLOOMINGTON, IN 47401

Prop. Location: 1170, 1172, 1174, 1176, 1178, 1180 E COBBLEFIELD CT.

Number of Units/Structures: 6 / 1

Date Inspected: 03/08/2011

Inspectors: Norman Mosier

Primary Heat Source: Electric

Property Zoning: RS

Number of Stories: 2

Number of Bedrooms: 2 & 3

Max # of Occupants: 3

Foundation Type: Crawl Space

Attic Access: Yes

Accessory Structure: Det. Garages

GENERAL STATEMENT:

C Complete the enclosed registration form. This form must be signed by the owner. A street address is required for both owner and agent. A rental occupancy permit will not be issued until the Housing and Neighborhood Development Department receives this completed form.
BMC16.12.060

INTERIOR:

UNIT 1170

C **Kitchen/Dining Area:**

Service the expired fire extinguisher. PM-704.3

½ Bath:

No violations noted.

C **Living Room:**

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, north wall. PM-304.3

C **Deck:**

Repair the sliding glass door screen to open easily. PM-303.15

214

2nd Bedroom: Exit door for egress requirements.

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, cracks in north and south walls. PM-304.3

1st Bedroom:

Repair the door to latch properly. PM-304.6

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000:

Openable area required: 5.7 sq. ft.

Clear width required: 20 inches

Clear height required: 22 inches

Maximum sill height: 44" above finished floor

Existing area: 4.52 sq. ft.

Existing width: 31 inches

Existing height: 21 inches

Existing sill: 29.5 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom:

Repair the west door to latch properly. PM-304.6

Seal edge of floor covering adjacent to bathtub. PM-304.1

Utility Closet:

No violations noted.

Laundry Closet:

No violations noted.

UNIT 1172

Stairway:

No violations noted.

Kitchen/Dining Area:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, adjacent to the ceiling. PM-304.3

½ Bath:

No violations noted.

Master Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000:

Openable area required: 5.7 sq. ft.

Clear width required: 20 inches

Clear height required: 24 inches

Maximum sill height: 44" above finished floor

Existing area: 4.52 sq. ft.

Existing width: 31 inches

Existing height: 21 inches

Existing sill: 29.5 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom:

No violations noted.

Utility Closet:

No violations noted.

Laundry Closet:

No violations noted.

Attic:

No violations noted.

2nd Bedroom: Exit door for egress requirements.

Repair the exit door to fit the door jamb properly. PM-303.15

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east and south walls. PM-304.3

Deck:

No violations noted.

Living Room:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east wall at ceiling. PM-304.3

UNIT 1174

Kitchen/Living Area:

No violations noted.

1st Bedroom:

Repair the door to latch properly. PM-304.6

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000:

Openable area required: 5.7 sq. ft.

Existing area: 6.27 sq. ft.

Clear width required: 20 inches

Existing width: 43 inches

Clear height required: 24 inches

Existing height: 21 inches

Maximum sill height: 44" above finished floor

Existing sill: 29.5 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Closet:

No violations noted.

Bathroom:

No violations noted.

Furnace Closet:

No violations noted.

Laundry Closet:

No violations noted.

2nd Bedroom: Exit door for egress requirements.

No violations noted.

Closet:

No violations noted.

Deck:

No violations noted.

3rd Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000:

Openable area required: 5.7 sq. ft.	Existing area: 6.27 sq. ft.
Clear width required: 20 inches	Existing width: 43 inches
Clear height required: 24 inches	Existing height: 21 inches
Maximum sill height: 44" above finished floor	Existing sill: 29.5 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Closet:

No violations noted.

Bathroom:

Repair the door to latch properly. PM-304.6

Unit 1176

Stairway/Hallway:

No violations noted.

1/2 Bath:

No violations noted.

Kitchen/Living Area:

Replace the loud garbage disposal. PM-504.1

Repair the broken drinking water faucet, adjacent to the sink faucet. PM-504.1

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east and west walls. PM-304.3

1st Bedroom:

Repair the window to be weather tight. PM-303.13

1st Bedroom: (continued)

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000:

Openable area required: 5.7 sq. ft.	Existing area: 6.27 sq. ft.
Clear width required: 20 inches	Existing width: 43 inches
Clear height required: 24 inches	Existing height: 21 inches
Maximum sill height: 44" above finished floor	Existing sill: 29.5 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Closet:

No violations noted.

Bathroom:

Properly repair the west sink drain to function as intended, slow. PM-504.1

Utility Closet:

No violations noted.

Laundry Closet:

No violations noted.

Attic:

Repair the broken access panel. PM-304.3

2nd Bedroom: Exit door for egress requirements.

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, east wall. PM-304.3

Closet:

No violations noted.

C 3rd Bedroom:

Repair the window to be weather tight. PM-303.13

3rd Bedroom: (continued)

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000:

Openable area required: 5.7 sq. ft.

Existing area: 6.27 sq. ft.

Clear width required: 20 inches

Existing width: 43 inches

Clear height required: 24 inches

Existing height: 21 inches

Maximum sill height: 44" above finished floor

Existing sill: 29.5 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

C UNIT 1178

NOTE: Repair all of the interconnected smoke detectors in this unit to function as intended. PM-704.1

Living Room:

No violations noted.

Deck:

No violations noted.

C Master Bedroom: Exit door for egress requirements.

Repair the exit door to fit the door jamb. PM-303.15

C Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, north wall. PM-304.3

Closet:

No violations noted.

C Bathroom:

Repair the south door to fit the door jamb. PM-304.6

C Replace the deteriorated trim adjacent to the tub. PM-304.3

C 2nd Bedroom:

Repair the windows to be weather tight. PM-303.13

2nd Bedroom: (continued)

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000:

Openable area required: 5.7 sq. ft.

Existing area: 4.52 sq. ft.

Clear width required: 20 inches

Existing width: 31 inches

Clear height required: 24 inches

Existing height: 21 inches

Maximum sill height: 44" above finished floor

Existing sill: 29.5 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Closet:

No violations noted.

C Kitchen/Dining Area:

Replace the defective GFCI to the left of the sink. PM-605.1

C Replace the broken drinking water faucet. PM-504.1

½ Bath:

No violations noted.

UNIT 1180

C Kitchen/Dining Area:

Replace the broken drinking water faucet. PM-504.1

½ Bath:

No violations noted.

Living Room:

C Repair the worn carpet adjacent to 2nd bedroom doorway and adjacent to the doorway leading to the deck. PM-304.4

Deck:

No violations noted.

C 2nd Bedroom: Exit door for egress requirements.

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, north wall above the bathroom door. PM-304.3

Closet:

No violations noted.

C Bathroom:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, north wall. PM-304.3

C Utility Closet:

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

Laundry Closet:

No violations noted.

1st Bedroom:

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 2000:

Openable area required: 5.7 sq. ft.	Existing area: 4.52 sq. ft.
Clear width required: 20 inches	Existing width: 31 inches
Clear height required: 24 inches	Existing height: 21 inches
Maximum sill height: 44" above finished floor	Existing sill: 29.5 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Closet:

No violations noted.

CRAWLSPACES:

Repair the south access panel door to function as intended. PM-303.6

DETACHED GARAGES:

No access, will check at re-inspection.

EXTERIOR:

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Properly label electrical service/meter disconnects with corresponding unit numbers. PM-701.2

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b).



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-80

Address: 510 E. Graham Place

Petitioner: John T. Pace

Inspector: Jo Stong

Staff Report: January 20, 2011: Conducted cycle inspection
January 25, 2011: Sent cycle report
April 18, 2011: Sent remaining violations report
April 26, 2011: Received appeal

During a cycle inspection violations of the Property Maintenance Code were noted, including windows that did not meet egress at the time of construction. The petitioner is requesting an extension of time to complete repairs and to secure a variance from the state for the windows.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: August 8, 2011 to secure a variance from the state
June 15, 2011 for all other repairs

Attachments: Remaining Violations Report, Application for Appeal

Reeld
4-26-11



**Application For Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov**

RECEIVED
APR 26 2011

Property Address: 510 Graham Place, Bloomington, IN 47401

BY: _____

Petitioner's Name: John T. Pace

Address: 13128 E 246th ST

City: Noblesville

State: Indiana

Zip Code: 46060

Phone Number: (765) 552-9625

E-mail Address: jpace57@gmail.com

Owner's Name: John T. Pace

Address: 13128 E 246th ST

City: Noblesville

State: Indiana

Zip Code: 46060

Phone Number: 765-552-9625

E-mail Address: jpace57@gmail.com

Occupants: Seth Pace (son), Daniel Julian (tenant)

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: A ^{extension} modification or exception to the Housing Property Maintenance Code. (Petition Type ^T V)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that month's agenda!

(Will be assigned by BHQA)

11-TV-80

Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

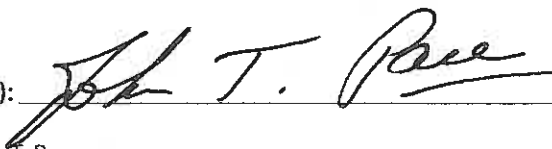
- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I am requesting a Ninety (90) day extension of time for a housing reinspection. I am hiring Sigma Property Management to assume responsibilities of this property. They assure me this property will be within code in this timeframe.

B. 1. Code:BMC-16.02.040 (b)

- 2. I am requesting a variance to this code with the Indiana Fire Prevention and Building Safety Commission due to the cost of replacing the bedroom windows is cost prohibitive and would create an undue hardship.
- 3. This request is to secure sufficient time to apply for an egress variance with the state commission.

Signature (Required):



Name (Print): John T. Pace

Date: 4/20/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

510 E. Graham Place
Remaining Violations
April 1, 2011
Page 1 of 4

APR 18 2011

Remaining Violations Report

425

OWNERS

PACE, JOHN T.
13128 E. 246TH STREET
NOBLESVILLE, IN 46060

AGENT

PACE, SETH T.
510 GRAHAM PLACE
BLOOMINGTON IN 47401

Prop. Location: 510 E GRAHAM PL
Date Inspected: 01/20/2011
Inspectors: Jo Stong
Primary Heat Source: Electric
Property Zoning: RM
Number of Stories: 2

Number of Units/Structures: 1 / 1
Number of Bedrooms: 4
Max # of Occupants: 5
Foundation Type: Slab
Attic Access: Yes
Accessory Structure: None

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.



It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

INTERIOR:

Entry, Half Bath:

No violations noted.

Living Room (14-1 x 10-9):

Repair the sliding door to function as intended. PM-303.13

Install a smoke detector in an approved location. If wall mounted, it shall be located between 6 and 12 inches from the ceiling. If ceiling mounted, it shall be located at least 4 inches from the wall.
PM-704.1

BASEMENT

Bath/Mechanical/Laundry Room:

No violations noted.

Bedroom (19-11 x 13-7):

Repair the window to open easily. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

Note: The window would not open and must be measured at the reinspection.

SECOND FLOOR

Stairway:

Secure the handrail and guardrail to be capable of supporting normally imposed loads. PM-304.5

Attic:

No violations noted.

South (rear) Bedroom (14-0 x 9-11):

Repair both windows to open easily and to stay open. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983:

Openable area required: 4.75 sq. ft.	Existing area: 4.11 sq. ft.
Clear width required: 18 inches	Existing width: 32 inches
Clear height required: 24 inches	Existing height: 18 ½ inches
Maximum sill height: 48" above finished floor	Existing sill: 29 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Center Bedroom (9-11 x 8-4):

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983:

Openable area required: 4.75 sq. ft.	Existing area: 5.22 sq. ft.
Clear width required: 18 inches	Existing width: 32 inches
Clear height required: 24 inches	Existing height: 23 ½ inches
Maximum sill height: 48" above finished floor	Existing sill: 29 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

North (front) Bedroom (12-0 x 8-4):

Repair the broken west window. PM-303.13

Repair the east window to stay open. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1983:

Openable area required: 4.75 sq. ft.	Existing area: 5.11 sq. ft.
Clear width required: 18 inches	Existing width: 32 inches
Clear height required: 24 inches	Existing height: 23 inches

Maximum sill height: 48" above finished floor Existing sill: 29 inches

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

EXTERIOR:

No violations noted.

OTHER REQUIREMENTS:

Required documentation:

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector before the Residential Rental Permit will be issued for this property. BMC16.12.050 (d)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

Board of Housing Quality Appeals
Staff Report: Petition for Relief from an Administrative Decision

Meeting Date: June 8, 2011
Petition Type: Relief from an administrative decision
Variance Request: Relief from the requirement to register as a rental
Petition Number: 11-AA-81
Address: 1019 N. Orris Drive
Petitioner: Michael J. Disney

During a conversation regarding code requirements about a fence, Mr. Disney explained that his daughter is residing in the property which required registration as a rental unit. The water is in the name of Mr. Disney. Average usage shows a one-person household.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This agreement shall remain in force so long as Ms. Carla Disney resides in the property. This property will be pull dated for 2014 to check residency.

Compliance Deadline: None

Attachments: Appeal form, letter from petitioner

9594



**Application For Appeal
To The
Board of Housing Quality Appeals**
P.O. Box 100
Bloomington, IN 47402
812-349-3420
hand@bloomington.in.gov

RECEIVED
APR 29 2011

BY: _____

Property Address: 1019 North Orris Drive

47404

Petitioner's Name: Michael J. Disney

Address: 4770 East Windsor LN

City: Columbus

State: Indiana

Zip Code: 47201

Phone Number: (812) 372-9052

E-mail Address: dizathome@yahoo.com

Owner's Name: Michael J. Disney

Address: 4770 East Windsor LN

City: Columbus

State: Indiana

Zip Code: 47201

Phone Number: 812-372-9052

E-mail Address: dizathome@yahoo.com

Occupants: Carla Disney

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: Relief from an administrative decision. (Petition Type: AA)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-AA-81

Petition Number: _____

232

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

I bought the home on Orris Drive specifically for my daughter to live in. She is 41 years old and has lived in Bloomington for several years. She has had a very difficult time ever since her husband divorced her a few years ago. It's been necessary for me to pay all of her housing and utilities for more than a year in order to keep her from becoming homeless in Bloomington. I finally decided to buy this home and allow her to live there. I am not charging her rent, and I have no intention of renting the home out. This is a private family matter. She lives alone, and she and I will take care of the property. Before building a fence around the back yard, I simply inquired to see if there are any restrictions or requirements that I should be aware of BEFORE fencing. I was given the fence codes and was given the information that rentals need to be inspected by your office, etc. This should not apply to this home because as I said, it is a private, family affair. I bought and care for the home, and I am allowing my daughter to live there. It's that simple.

Signature (Required): _____

Name (Print): Michael J. Disney

Date: 4/26/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-82

Address: 1004 W. Ralston Dr.

Petitioner: Steven R. Hogan

Inspector: Sean Person / John Hewett

Staff Report:

August 5, 2010	Cycle Inspection
August 18, 2010	Report Sent
November 22, 2010	Re-inspection
December 7, 2010	Sent RV
January 7, 2011	Start legal
February 8, 2011	Re-inspection
April 18, 2011	sent RV
May 5, 2011	Received Appeal

At the time of the Cycle Inspection the basement was being remodeled into living space under building permit. The petitioner is requesting an additional 90 days for this work.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: August 1, 2011

Attachments: RV Report, petitioner's letter



**Application For Appeal
To The
Board of Housing Quality Appeals**

**P.O. Box 100
Bloomington, IN 47402
812-349-3420**

hand@bloomington.in.gov

RECEIVED
MAY 05 2011
BY: _____

Property Address: 1004 W Ralston

Petitioner's Name: Steven R. Hoan

Address: 2801 N Walnut St #7

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: (812) 360-3743

E-mail Address: srhogan1972@gmail.com

Owner's Name: Ralston Properties LLC

Address: 2801 N Walnut #7

City: Bloomington

State: Indiana

Zip Code: 47404

Phone Number: 812-360-3743

E-mail Address: srhogan1972@gmail.com

Occupants: Jennifer Head

The following conditions must be found in each case in order for the Board to consider the request:

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

Identify the variance type that you are requesting from the following drop down menu:

Variance Type: An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-82

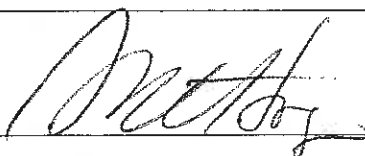
Petition Number: _____

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
 - 1. Specify the items that need the extension of time to complete.
 - 2. Explain why the extension is needed.
 - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
 - 1. Specify the code reference number you are appealing.
 - 2. Detail why you are requesting the variance.
 - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
 - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
 - 1. Detail the existing variance.
 - 2. Specify the reason the variance is no longer needed.

We are remodeling the basement of this house to create a fourth bedroom additional bathroom and a family room. I had thought the existence of a building permit would satisfy HAND inspection requirements. The living area of the house upstairs is in compliance. The lower level is still under construction and we would like the time for satisfying the HAND requirements for that level extended 90 days.

Signature (Required):



Name (Print): Steven R. Hogan

Date: 5/5/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington
Housing and Neighborhood Development**

APR 18 2011

Remaining Violations Report

7075

OWNERS

RALSTON PROPERTIES LLC
2801 N. WALNUT ST. STE 7
BLOOMINGTON, IN 47404

AGENT

HOGAN, STEVEN R.
2801 N. WALNUT STREET #7
BLOOMINGTON IN 47404

Prop. Location: 1004 W RALSTON DR
Date Inspected: 08/05/2010
Inspectors: Sean Person
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Basement
Attic Access: N/A
Accessory Structure:

REINSPECTION REQUIRED

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Basement

Properly complete the installation of all electrical wiring, lighting fixture(s), electrical receptacle(s), and all other electrical fixtures or appliances. These items will be checked for compliance with the City of

Bloomington Property Maintenance Code at reinspection and have the same 60 day compliance deadline as the remainder of this property. PM-102.3, PM-102.8, & PM-605.1

Properly complete the installation of walls and ceiling surfaces where applicable. These items will be checked for compliance with the City of Bloomington Property Maintenance Code at reinspection and have the same 60 day compliance deadline as the remainder of this property. PM-102.3, PM-102.8, & PM-304.3

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

OTHER REQUIREMENTS:

The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied:

- A completed copy of the Tenants & Owners Rights and Responsibilities Summary BMC16.12.050 (d).
- Inventory & Damage List: The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement **BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-83

Address: 316 S. Buckner

Petitioner: Ronald Maire

Inspector: John Hewett

Staff Report: March 1, 2011 Cycle Inspection
March 10, 2011 Report Sent
May 9, 2011 Received Appeal

Three items were cited on the Cycle Inspection Report. The petitioner is requesting additional time in which to complete repairs and to determine if this will be sold to an owner occupant.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: July 8, 2011

Attachments: Cycle Report, petitioner's letter



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
MAY 09 2011

BY:

Petitioner's Name: Ronald Maire

Petitioner's Address & Phone Number: 500 poplar Drive Ellettsville IN 876 9509

Owner's Name: Trina Borkholder

Owner's Address & Phone Number: 121 Wagon Wheel Way Lake Mary Fla 32789

Address of Property: 316 Buckner St Bloomington IN

Occupant(s) Name(s): Darry Dean

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Ronald Maire

Name (print): Ronald Maire

(Will be assigned by BHQA)

11-TV-83

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

To Complete Needed Repairs and to
Determine if property will be sold to
Private owner ship

Signature: _____ Date: _____



**City of Bloomington
Housing and Neighborhood Development**

Cycle Report

1807

OWNERS

BURKHOLDER, JOE M.
121 WAGON WHEEL WAY
LAKE MARY, FL 32749

AGENT

MAIRE, RON
500 POPLAR DR.
ELLETTSVILLE IN 47429

Prop. Location: 316 S BUCKNER ST Number of Units/Structures: 1 / 1
Date Inspected: 03/01/2011 Number of Bedrooms: 3
Inspectors: John Hewett Max # of Occupants: 3
Primary Heat Source: Gas Foundation Type: Cellar
Property Zoning: RC Attic Access: N/A
Number of Stories: 1 Accessory Structure:

Interior

Living room 15-5 x 15-1, ½ bath, bath, Mechanical closet
No violations noted.

Kitchen

12-9 x 18-10

Show documentation that the wood burning stove has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

E bedroom 11-0 x 12-5, Center bedroom 10-1 x 10-10, W bedroom 11-0 x 12-5

Existing Egress Window Measurements: Slider double pop.

242

Height: 34 inches
Width: 29 inches
Sill Height: 45 inches
Openable Area: 6.84 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

Exterior

Replace the deteriorated service entrance cable. The outer insulation is deteriorated to the point that the inner insulation is visible above the porch roof. Below the porch roof the cable has been wrapped in black tape, which is not an approved insulation for this use. PM-605.1

Cellar/ crawl

Not accessible.

Garage

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-84

Address: 619 N. Monroe

Petitioner: Mark Laughlin

Inspector: Robert Hoole

Staff Report: March 11, 2011 Cycle inspection report mailed
May 6, 2011 Appeal filed

The petitioner is seeking an extension of time to complete repairs due to circumstances detailed in his appeal form.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: June 30, 2011

Attachments: Appeal form, cycle inspection report



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
MAY 08 2011

BY:

Petitioner's Name: Mark Laughlin

Petitioner's Address & Phone Number: 7065 S Fairfax Rd 1-812-824-7112

Owner's Name: John Laughlin

Owner's Address & Phone Number: 7065 S Fairfax Rd 1-812-824-7112

Address of Property: 619 North Manro Street

Occupant(s) Name(s): L.J. Rubble

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Mark Laughlin

Name (print): Mark Laughlin

(Will be assigned by BHQA)

11-TV-84

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Need A Exstancher → Because had Trouble For
A couple weeks Getting In The home Because
Tendart was Pregnate Than After having Baby
she needed A little quit Time she wasn't Feeling
good So we felt It would Be Best To give her About
A week To get Feeling Better

And we got A couple prices on having A new
Electrical Box In And Fax number didnt work
so we had About Another 4 or 5 day To getting
A Price on job Now we have on scedgel
For The new Electrical Box Being Put In
would like Till About The end of June
To Finish work To 619 North Main

Signature: Mark Laughlin Date: 5-6-2011



City of Bloomington
Housing and Neighborhood Development

Cycle Report

1550

OWNERS

=====

LAUGHLIN, JOHN
7065 FAIRFAX RD.
BLOOMINGTON, IN 47401

Prop. Location: 619 N MONROE ST
Date Inspected: 02/25/2011
Inspectors: Robert Hoole
Primary Heat Source: Gas
Property Zoning: RC
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 2
Max # of Occupants: 2
Foundation Type: Basement
Attic Access: No
Accessory Structure:

INTERIOR

Living room (11 x 10 ½)

Show documentation that the fireplace has been inspected within the last twelve months, or permanently and visibly seal the fireplace to prevent its use. Service and inspection shall include the firebox, damper, chimney and/or flue. Cleaning by a professional service is highly recommended. PM-603.1

Properly repair the ceiling. Sand and paint to match the adjacent areas. PM-304.3

Properly ground the electrical receptacle on the west end of the north wall. If the receptacle is on an ungrounded system, it is acceptable to install a 2-pole, ungrounded receptacle, or a GFCI receptacle. PM-605.1

Family room (8 ½ x 10 ½)

No violations noted.

247

Southeast bedroom (9'4" x 8'2")

Existing Egress Window Measurements:

Height: 33 inches
Width: 28 inches
Sill Height: 30 inches
Openable Area: 6.41 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements. Removable sashes.

Basement

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

Properly repair the duct taped drain line near the center of the north wall. Duct tape is not an approved repair method. PM-504.1

Eliminate the leak from the Fernco fitting on the drain pipe near the cleanout. PM-504.1

Eliminate the source of standing water on the floor. PM-504.1, PM-303.5, PM-102.8

Label the electrical disconnect on the west wall to indicate which circuit it serves. PM-605.1

Kitchen (10'½ x 5)

No violations noted.

Hallway

No violations noted.

West bedroom (9 x 11)

Existing Egress Window Measurements:

Height: 18 inches
Width: 27 inches
Sill Height: 25 inches
Openable Area: 3.37 sq. ft.

At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

Utility room

No violations noted.

Bath

Replace the deteriorated vanity. PM-304.3

Replace the broken receptacle and provide GFCI protection. PM-605.2

Properly repair the subfloor adjacent to the toilet to be structurally sound. PM-304.2

Repair the toilet to eliminate constant water consumption. PM-504.1

Properly repair the subfloor adjacent to the tub to be structurally sound. PM-304.2

EXTERIOR

Provide a complete directory of all service panels and circuits. PM-605.1

Correct the installation of the building electrical service to have a service disconnect. PM-605.1

Correct the installation of branch circuit wiring below the service panel so that all conductors are enclosed in conduit on the exterior of the building and where they pass through the concrete patio slab and the exterior wall of the building. PM-605.1

Properly ground the electrical service. PM-605.1

Install an appropriate inner cover in the service panel. PM-605.1

Replace the missing dryer exhaust termination fitting. PM-403.5

Replace the missing trim above the window on the north wall. PM-303.6

Replace the missing downspout on the north wall. PM-303.7

OTHER REQUIREMENTS

Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner. BMC16.12.060**

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington
H.A.N.D.

**Board of Housing Quality Appeals
Staff Report: Petition for Extension of Time**

Meeting Date: June 8, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-85

Address: 617 E. Moody

Petitioner: Jan Deckard

Inspector: Robert Hoole

Staff Report: March 11, 2011 Cycle inspection report mailed
May 11, 2011 Appeal filed

During the cycle inspection it was noted that the shed was deteriorated and the bathroom exhaust fan was missing its cover. There were also other violations. The petitioner is seeking a 90 day extension of time to remove the shed and to replace the exhaust fan cover.

Staff recommendation: Grant the extension of time

Conditions: Repairs must be completed and re-inspected no later than the deadlines stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: Exhaust fan cover, shed: September 8, 2011
All other items: June 15, 2011

Attachments: Appeal form, cycle inspection report



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

RECEIVED
MAY 11 2011

BY: _____

Petitioner's Name: Ron McIlvain / Jan Deckard

Petitioner's Address & Phone Number: 3460 E. Rhorer Bldg IN 47401 Ph: 812-345-8361

Owner's Name: Jan Deckard

Owner's Address & Phone Number: 3888 S. Claybridge Dr. 47401 Ph: 812-335-8350

Address of Property: 617 Moody Dr. 47401

Occupant(s) Name(s): Peter Partin

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☒ A. An extension of time to complete repairs. (Petition type: TV)
↳ Specify the items that need the extension of time to complete
↳ Explain why the extension is needed
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
↳ Specify the code reference number you are appealing
↳ Detail why you are requesting the variance
↳ Specify the modifications and or alterations you are suggesting
- ☐ C. Relief from an administration decision. (Petition type: AA)
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)
↳ Detail the existing variance
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Ron McIlvain Jan Deckard

Name (print): Ron McIlvain Jan Deckard

(Will be assigned by BHQA)

11-TV-85

Petition Number: _____

(Please use the reverse side for further explanation and/or request)



Application for Appeal
To The
Board of Housing Quality Appeals
P.O. Box 100
Bloomington, IN 47402
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

The majority of the items have been repaired or replaced as the inspector specified. I would like to request an additional 90 days for the following:

- A replacement exhaust fan with proper cover was ordered for the front bath. The design we received was incorrect and is being re-ordered.
- The decision has been made to remove rather than repair the accessory structure (shed). The tenant has been notified and the contents are being removed. The tear down and removal process will be done on the weekends. Due to the expense and time limitations I ask for this extension

Signature: Jan Dehnd Date: May 11, 2011



City of Bloomington
Housing and Neighborhood Development

Amended Cycle Report

7264

OWNERS

=====

DECKARD, JAN P.
3888 S. CLAYBRIDGE DRIVE
BLOOMINGTON, IN 47401

Prop. Location: 617 E MOODY DR
Date Inspected: 02/28/2011
Inspectors: Robert Hoole
Primary Heat Source: Gas
Property Zoning: RS
Number of Stories: 1

Number of Units/Structures: 1 / 1
Number of Bedrooms: 3
Max # of Occupants: 3
Foundation Type: Crawl Space
Attic Access: Yes
Accessory Structure: Shed

INTERIOR

Living room (22 x 14)

Properly repair the front door to be weather tight. Eliminate gaps at the edges of the door. PM-303.15

The tenant reports that the front porch light switch made a sizzling sound and that the west front porch light no longer operates. Replace the light switch and repair the west front porch light to function as intended. PM-605.1

Kitchen (18 x 10)

A minimum **1A 10BC classification** fire extinguisher shall be mounted in a visible, accessible location, in or adjacent to the kitchen, away from the range, and in the path of egress. The securing mechanism must be no more than 5 feet above the floor. PM-704.3.

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm

PM-603.1

254

Repair the furnace closet door to latch as intended. PM-304.6

Front bedroom (12 x 11)

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1992:

Openable area required: 4.75 sq. ft.	Existing area: 5.62 sq. ft.
Clear width required: 18 "	Existing width: 27 "
Clear height required: 24 "	Existing height: 30 "
Maximum sill height: 44" above finished floor	Existing sill: 45"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Front bath

Replace the deteriorated exhaust fan / light. PM-603.1

Middle bedroom (12 x 9)

Provide operating power to smoke detector. PM-704.1

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1992:

Openable area required: 4.75 sq. ft.	Existing area: 4.50 sq. ft.
Clear width required: 18 "	Existing width: 18 "
Clear height required: 24 "	Existing height: 36 "
Maximum sill height: 44" above finished floor	Existing sill: 46"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.02.040 (b).

The State variance application forms are available at the **Department of Homeland Security** on the **Fire Prevention and Building Safety Commission's** web site at www.in.gov/dhs/2375.htm. Scroll down to **Downloadable Forms and Documents** and click on **Variance Application and Instructions**. If you need any further clarification, the Commission can be reached at 317.233.5341.

Attic

No violations noted.

Rear family room (20 x 11)

Repair the north door to latch and lock as intended. PM-303.15

Secure the loose hinge on the door leading to the kitchen and repair the door to latch as intended. PM-304.6

Rear bath

Eliminate the clog in the sink drain. PM-504.1

Repair the toilet to flush as intended. It does not drain properly. PM-504.1

Rear bedroom (10 ½ x 11)

Existing Egress Window Measurements:

Height: 53 inches
Width: 26 inches
Sill Height: 30 inches
Openable Area: 9.56 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements. Removable sashes.

Crawlspace

The crawlspace door was screwed shut. Provide access to the crawlspace so that it can be checked at reinspection. Any repairs required shall be completed within the same 60 day timeframe as those specified in this report.

EXTERIOR

Replace all rotted elements of the shed. PM-302.7

Scrape and paint the shed. PM-303.2

NOTE: This item has a compliance deadline of 2/28/2012.

OTHER REQUIREMENTS

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied. BMC16.12.040**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)